

REMARKS

OVERVIEW

Claims 1 through 17 are currently pending in this application. The Applicant gratefully acknowledges that the Examiner has found that claims 15 through 17 contain allowable subject matter. The present response is an earnest effort to place the application in proper form for immediate allowance. Reconsideration is respectfully requested.

§ 112 ISSUES

The Examiner had rejected previous claim 9 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention. In particular, the Examiner previously found that it was unclear from the actual wording of the claim that the hopper is actually removed from the trailer when it is sitting on another support surface. To clarify, the Applicant has amended claim 9 so as to require that "the load cells being operative when the hopper is mounted on the trailer and when the hopper is removed from the trailer and sitting on another support surface." The Applicant respectfully submits that the addition of the language "removed from the trailer and" clarifies the wording of the claim such that the Examiner should now properly withdraw any rejection to claim 9 and those claims that depend from claim 9.

ISSUES UNDER 35 U.S.C. § 103

The Examiner has previously rejected claims 1 through 14 under 35 U.S.C. § 103(a) as being unpatentable over Hamilton in view of Maguire, Jebens, et al., Gendreau and Gendreau.

The Applicant has amended claim 1. Claim 1 now includes the limitations of "a weighing system removably mounted on the trailer and sandwiched between the trailer and the hopper to weigh the seed in the hopper when the hopper and the weighing system are in a trailer

mounted position" and "the weighing system adapted to weigh the seed in the hopper when the weighing system and the hopper are removed from the trailer." The Applicant submits the addition of these limitations further distinguish claim 1 from all of the cited references. In particular, none of the cited references disclose "a hopper removably mounted on the trailer" and "a weighing system removably mounted on the trailer" where the weighing system weighs the seed in a hopper both "in a trailer mounted position" and when "the weighing system and the hopper are removed from the trailer." Therefore, the Applicant submits that the Examiner should now find claim 1 allowable. As claims 2 through 8 depend from claim 1, the Applicant submits that the Examiner should also find these claims allowable as well.

With respect to claim 9, the Applicant has amended claim 9 such that claim 9 requires "the load cells being operative when the hopper is mounted on the trailer and when the hopper is removed from the trailer and sitting on another support surface." The Applicant submits that now that claim 9 has been clarified, claim 9 is patentably distinguishable from the cited prior art. In particular, it appears that as the Examiner found the claim unclear, the Examiner construed "sitting on another support surface" not to require that the hopper be actually removed from the trailer. As the element "removed from the trailer" has been added, the Applicant submits that the Examiner should now find claim 9 allowable. As claims 10 through 14 depend from claim 9, the Applicant submits the Examiner should also now find these claims allowable as well.

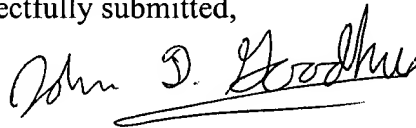
SUMMARY

Based upon the foregoing, Applicant respectfully submits the pending claims are in condition for allowance at this time as they are patentably distinguishable over the prior art. Accordingly, reconsideration of the application and passage to allowance are respectfully requested.

No fees or extensions of time are believed to be due in connection with this amendment; however, consider this a request for any extension inadvertently omitted, and charge any additional fees to Deposit Account No. 26-0084.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned "Version with markings to show changes made."

Respectfully submitted,



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